

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

STEVEN WAYNE CARR & DEBRA LOU CARR

CASE NO. 09-70594-HDH-13

AKA1:
DBA1:
SS#1: xxx-xx- 5307

AKA2: DEBRA TOFT CARR; DEBRA LOU BELVIN
DBA2: DEBRA LOU HAMILTON
SS#2: xxx-xx- 3879

REPORT OF 341 MEETING

I. 341 MEETING REPORT:

A. Orig. Date: 12/21/2009 Orig. Time: 2:00 PM Reset Date: Reset Time:
B. Meeting Results: Adjourned
C. Debtor(s): Debtor 1 Appeared Debtor 2 Appeared
D. Attorney for Debtor(s): Appeared
E. Creditor Appearance: None
F. Amount Paid to the Trustee as of 12/21/2009 \$200.00 First Payment Due Date: 12/24/2009
G. File Trustee's Motion to Dismiss because
H. B22C Information: B22C Form is: Incomplete
Budgeted Income: \$2,750.04 Expense: \$2,550.04 Surplus: \$200.00
Plan Payment: \$200.00 Monthly Plan Term(Months): 36
I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00
Objection to Exemption of:
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:
Object to Invoke Stay Pleading
Case Converted from Chapter 7, Bar Date Set: 3/22/2010 Date Converted from Chapter 7:
J. Required Information: Complete income records or Bank Statements - Corrected
K. Business Information: Business Questionnaire & Cash Flow - Corrected
L. Object to Confirmation: Yes
Sch A fails to include all real properties
Feasibility until non-exempt property figure is determined
M. Financial Management Class: Debtor 1 Appeared Debtor 2 Appeared
N. Eligibility:
Certificate of Credit Counseling Filed: Both Debtor 1 and Debtor 2
Credit Counseling Provider Approved: Yes
Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No
O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00
Affidavit and Disclosure of Domestic Support Obligations Received: Yes
P. Remarks: MTD
-Business Questionnaire
-Cash Flow
-Bank Statements or income records
The MTD will not be pursued any further per debtors testimony at 341.
Questions
-Mr does not have any business income?
No income & he is attempting to get SS disability.
-05-08 returns show business income.
Oil lease interest, but it was sold in 01/09 received \$6000.
-SOFA 18 is blank, but Mr claimed business expenses on Tax Returns since at least 2005.
-Why should this not be a business case?
-Bank statements show unexplained deposits

6308 Iola Avenue Lubbock, TX 79424
(806) 748-1980 Phone (806) 748-1956 Fax

- Where are the unexplained deposits originating?
- Mr have any side jobs?
- Operating a business?

They were a gift from family members that will not have to be repaid.

- Several unexplained deposits beyond Mrs income.
- Mrs. Income explains \$1380/mo income, bank statement deposits average \$2729/mo.
- \$1349 difference?

Probably about correct.

- Sch I fails to include all income sources.
- What happened to the annuity \$159.89 found in May & June bank statement for 3879?

Deceased mother's that stoped in June.

- What is the source of the additional \$1350 unexplained deposits & why is it not included?
- Please explain debtor's involvement in SOFA 4 lawsuit, Wichita County v Toft Billy Ivan Sr?

Deceased uncle left her & 3 siblings several pieces of property. Does not believe she has any ownership in them.

- Does Mr have any interest in 258 Mesa Rd?
- CAD states Steve Carr owns adjoining properties at this address.
- \$34,464 & \$18,675 values.
- If owned what is the lien amount?

Gave ownership to Daughter several years ago.

Objections

- Sch A fails to include all real properties
- Sch I fails to include all income sources -- will not be pursued
- Failure to include all disposable income -- will not be pursued
- Feasibility until non-exempt property figure is determined

Dated: 12/21/2009

/s/ Walter O'Cheskey

Standing Bankruptcy Trustee
By: Brent Hagan

Case Number:	09-70594
Debtor:	Carr
Attorney:	MJW
Presiding Officer:	Brent Hagan
Calculation Date:	12/21/2009 8:55

Domestic Support Input name from Plan	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral Input name from Plan	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor Input name from Plan	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees Paid Through the Plan	\$2,719.00		\$2,719.00
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Noticing Fees	\$124.08		\$124.08
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Clerk Filing Fees	\$0.00		\$0.00
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Hardacre Minimum	\$0.00	Greater Of ----->	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$2,719.00		
Less Noticing Fees	\$124.08		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00		

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$92,873.13
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$3,145.19
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Debtor Plan Base (Monthly Payment X Term)	\$7,200.00
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Surplus (Debtor Plan Base - Calculated Base)	\$4,054.81
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Comments:

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	12/21/2009 8:55

Schedule I Gross Income		\$0.00
Less Line 57 B22C		\$0.00
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		\$0.00
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: